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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PETE KEFALAS,

 Petitioner,

 v.

WARDEN WILLIAMS, et al.,

 Respondents.

Case No. 2:18-cv-01745-GMN-VCF

ORDER

On April 22, 2019, the court directed respondents to file an answer or other response to the petition for a writ of habeas corpus. ECF No. 3. On June 6, 2019, respondents filed a timely motion to dismiss. ECF No. 5. On August 14, 2019, petitioner filed a memorandum/notice stating that the time to file an answer expired on June 6, 2019, that respondents never filed a motion for extension of time to answer the writ, and thus the court should grant petitioner relief. ECF No. 8. On August 22, 2019, respondents filed a response to the memorandum/notice. ECF No. 9. Respondents state that they did serve petitioner with a copy of the motion to dismiss on or around the date that they filed the motion. Respondents also state that they have served petitioner with another copy of the motion to dismiss.

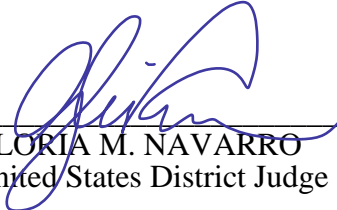
The court denies petitioner's request that the writ be granted. First, as respondents correctly note, the failure to respond to claims does not entitle petitioner to default judgment in federal habeas corpus. See Gordon v. Duran, 895 F.2d 610, 612 (9th Cir. 1990). Second,

1 respondents did file a timely response to the petition.

2 Under the circumstances, the court will give petitioner additional time to respond to the
3 motion to dismiss.

4 IT THEREFORE IS ORDERED that petitioner will have an additional forty-five (45)
5 days from the date of entry of this order to file a response to the motion to dismiss (ECF No. 5).

6 DATED: September 4, 2019

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GLORIA M. NAVARRO
United States District Judge